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SUPREME COURT
STATE OF WASHINGTON

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BY RONALD R. CARPENTER

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IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

THEODORE RHONE

Petitioner.

NO. 80037-5

STATEMENT OF ADDITIONAL
AUTHORITY

Pursuant to RAP 10.8, Respondent, State of Washington, respectfully submits the following as additional authority:

1. *State v. Thomas*, 166 Wn.2d 380, 397, 208 P.3d 1107 (2008) (the trial court may find a prima facie case of discrimination when the sole remaining venire person of a constitutionally cognizable group is dismissed with the use of a peremptory challenge, but


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1 the trial court is not required to so find. Great deference is given to the trial court's
2 determination of discrimination because findings of discrimination largely turn on
3 credibility).

4
5 Dated: October 13, 2009.

6 GERALD A. HORNE
7 Pierce County
8 Prosecuting Attorney

9 
10 KAREN A. WATSON
11 Deputy Prosecuting Attorney
WSB # 24259

12 Certificate of Service:

12 The undersigned certifies that on this day she delivered by U.S. mail or ABC-LMI
13 delivery to the attorney of record for the appellant and appellant c/o his or her attorney
13 or to the attorney of record for the respondent and respondent c/o his or her attorney true
14 and correct copies of the document to which this certificate is attached. This statement is
certified to be true and correct under penalty of perjury of the laws of the State of Washington.
Signed at Tacoma, Washington, on the date below.

15 
16 Date Signature